

ty, District and Urban Affairs to which was referred H. B. No. 315, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.  
CONNALLY  
WORD

#### Memorial Resolutions

S. R. No. 355—By Senator Herring: Memorial resolution for P. J. Dodson.

S. R. No. 361—By Senator Watson: Memorial resolution for Bernhard A. Meier.

S. R. No. 362—By Senator Watson: Memorial resolution for J. D. Gilliam.

S. R. No. 363—By Senator Watson: Memorial resolution for Frank E. Fielding.

S. R. No. 364—By Senator Watson: Memorial resolution for Charlie Richardson.

#### Welcome and Congratulation Resolutions

S. R. No. 356—By Senator Word: Extending welcome to Junior and Senior High students of Iredell.

S. R. No. 357—By Senator Brooks: Extending best wishes to Charles H. Terence on his retirement.

S. R. No. 358—By Senator Creighton: Recognizing Mrs. Joyce Hamilton as the "greatest hot sauce creator" in the State and nation.

S. R. No. 360—By Senator Jordan: Extending welcome to eighth grade History Class of Carter G. Woodson Junior High School of Houston.

S. R. No. 365—By Senator Watson: Extending welcome to Miss Sharon Gayle Fuller.

S. R. No. 366—By Senator Watson: Extending welcome to Paul Brindley of Temple.

S. R. No. 367—By Senator Watson: Extending welcome to Marsha Waters.

S. R. No. 368—By Senator Watson: Extending welcome to Dr. Hubert Dawson.

S. R. No. 369—By Senator Watson: Extending welcome to Ted Myatt.

S. R. No. 370—By Senators Watson and Kennard: Extending welcome to the Reverend Gaither Day.

#### Adjournment

On motion of Senator Aikin the Senate at 11:27 o'clock a.m. adjourned until 10:00 o'clock a.m. tomorrow.

#### APPENDIX

#### Sent to Governor

March 24, 1969

S. B. No. 128

S. B. No. 73

#### THIRTY-NINTH DAY

(Tuesday, March 25, 1969)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

### Message From the House

Hall of the House of Representatives  
Austin, Texas,  
March 25, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 82, A bill to be entitled "An Act providing for the payment of relocation expense and assistance in acquiring right of way on all highways designated by the State Highway Commission as a part of the State Highway System; providing for the State Highway Commission to formulate rules and regulations; providing for payment by the Comptroller; and declaring an emergency."

S. B. No. 153, A bill to be entitled "An Act establishing Uniform Standard Code approved by the United States of America Standards Institute for installation of plumbing, heating, and electrical system in mobile homes; etc.; and declaring an emergency."

(With amendment.)

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

### Reports of Standing Committees

Senator Moore submitted the following reports:

Austin, Texas,  
March 25, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 296, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,  
March 25, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 164, have had the same under consideration, and I am instructed to

report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,  
March 25, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 453, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

MOORE, Chairman.

Austin, Texas,  
March 25, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 547, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,  
March 25, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 137, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Senator Jordan submitted the following report:

Austin, Texas,  
March 25, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Labor and Management Relations, to which was referred S. B. No. 387, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

JORDAN, Chairman.

Senator Creighton submitted the following reports:

Austin, Texas,  
March 25, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 425, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Austin, Texas,  
March 25, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 488, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

CREIGHTON, Chairman.

Austin, Texas,  
March 25, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 411, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

CREIGHTON, Chairman.

Austin, Texas,  
March 25, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 334, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Austin, Texas,  
March 25, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 333, have had the same under consideration, and I am instructed to report it back to the

Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Austin, Texas,  
March 25, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 125, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass but that the Committee Substitute adopted in lieu thereof do pass and be printed.

CREIGHTON, Chairman.

C. S. S. B. No. 125 was read the first time.

#### Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H. C. R. No. 64, Congratulating Paul P. Layfield for his loyalty to Texas, and for his imagination and skill in writing the song, "The Great Toledo."

H. C. R. No. 60, Congratulating the Eagles of Hearne High School.

H. C. R. No. 68, Congratulating Texas A & I Javelinas.

H. C. R. No. 69, Commending the Texas Parks and Wildlife Commission.

H. C. R. No. 61, Memorial resolution for Dr. Carl Morris Lyman.

H. B. No. 336, A bill to be entitled "An Act validating proceedings heretofore had by cities in Texas for the issuance of certain revenue bonds and ad valorem tax bonds; validating bonds to be issued pursuant to such proceedings; authorizing the adoption of proceedings necessary to complete the issuance of such bonds; and declaring an emergency."

S. B. No. 110, A bill to be entitled "An Act creating a Commission for Rehabilitation and prescribing its powers, duties, functions, financing and procedures; repealing Chapter 23, Acts of the 41st Legislature, 1st Called Session, 1929, as amended (Article 2675-1, Vernon's Texas Civil

Statutes); and declaring an emergency."

#### Senate Bill 708 on First Reading

Senator Moore moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Moore:

S. B. No. 708, A bill to be entitled "An Act amending Chapter 518, Acts of the 54th Legislature creating Trinity River Authority of Texas, as amended, by adding thereto provisions authorizing the Authority to acquire, operate, maintain, enlarge, improve and extend the Devers Canal System in Chambers and Liberty Counties and a defined portion of Jefferson County; providing a method of financing the same; providing for the exercise of the power of eminent domain; authorizing the utilization of permits and contracts acquired from the Devers Canal Company; prohibiting the assessment, levy, or collection of any tax in Jefferson County; restricting the Authority to sell water in Jefferson County to that portion of that County specifically described; reciting the publication of notice required by the Constitution; providing for severability; repealing conflicting laws; enacting other provisions related to the subject; and declaring an emergency."

To the Committee on Water and Conservation.

#### Senate Bill 709 on First Reading

The following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Christie:

S. B. No. 709, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Hueco Valley Utility District'; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the District; finding District is created for public use and benefit; conferring on District the rights, powers, privileges, authority, and functions of the general laws of Texas applicable to water control and improvement districts created under said Article 16, Section 59, where not in conflict with this Act, and adopting same by reference; providing for continuing supervision by the Texas Water Rights Commission; stating the policy of the State with regard to waste control; prescribing the District's rights, powers, privileges and functions, and related matters providing for no election for confirmation; providing for no hearing for exclusions except on written request or the board of directors' own motion; providing for notice of right to have an exclusions hearing; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for addition of land to District and the assumption of bonded indebtedness by the added land, and related matters; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for the filling of vacancies; providing for terms and election of directors and notice of directors elections, and related matters; providing for the letting of construction contracts and the drawing of warrants; providing for execution of contracts by the president; providing duties of vice-president; providing for compliance with Article 7880-139, V.T.C.S.; providing for bonds and refunding bonds of the District, and related matters; providing for ap-

proval of bonds by the Attorney General of Texas and registration by the Comptroller of Public Accounts; providing for the incontestability of bonds; providing the power of eminent domain shall be limited to the county or counties within which District is situated; providing District shall bear expenses of relocating, raising, or rerouting any highway, railroad, or utility lines or pipe lines made necessary by its exercise of the power of eminent domain; defining 'sole expense'; providing for depositories; providing for an audit, and related matters; providing for the establishment of District offices, and related matters; providing for powers of District within and without the boundaries of District; providing for a plumbing code; providing for the sale of bonds and the price of such bonds; providing that Article 7880-77b, V.T.C.S., shall not be applicable to this District; providing that notice of all elections shall be under the hand of the president or secretary; providing for the canvassing of election returns; providing that bonds and refunding bonds of this District shall be eligible investments; providing that the Municipal Annexation Act shall have no application to the creation of this District; providing that District is subject to provisions of Article 1182c-1, V.T.C.S.; determining and finding the requirements of Article 16, Section 59(d), Constitution of Texas as to notice of intention to introduce this Act have been fulfilled and accomplished; providing the District shall not be required to pay any tax or assessment on its properties or any purchase; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency."

To the Committee on Water and Conservation.

#### Senate Bill 710 on First Reading

Senator Hightower moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Bernal
Bates	Berry

Blanchard	Jordan
Bridges	Kennard
Brooks	Mauzy
Christie	McKool
Cole	Moore
Connally	Patman
Creighton	Ratliff
Grover	Schwartz
Hall	Snelson
Harrington	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word
Hightower	

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Hightower:

S. B. No. 710, A bill to be entitled "An Act amending Chapter 279, Acts of the 56th Legislature, Regular Session, 1959, as amended (Article 8280-228, Vernon's Texas Civil Statutes), by adding a Section 16A permitting the Red River Authority to contract with Eldorado, Oklahoma, for the sale of water; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

#### Senate Concurrent Resolution 52

Senator Grover offered the following resolution:

S. C. R. No. 52, Requesting Finance Committee and House Appropriations Committee to appoint a sub-committee to make an investigation of University of Houston.

Whereas, For the past two years there has been a noticeable increase in student militancy on the campus at the University of Houston; and

Whereas, This militancy has been demonstrated in numerous ways, including a demand by a former student body president that he be placed on a committee to select a new dean; and

Whereas, The President of the University of Houston surrendered to that demand; and

Whereas, Militant student groups demanded the resignation of the Dean of the College of Architecture until unknown pressures finally brought about the resignation of that official; and

Whereas, The culmination of this student militancy has been strongly

demonstrated this spring in a march on the office of the President of the University of Houston by the Afro-Americans for Black Liberation, a notoriously militant and revolutionary group; and

Whereas, The President of the University of Houston agreed to some of these demands, thus possibly surrendering some of his legal authority and responsibility as chief executive officer of the University; and

Whereas, The Afro-Americans for Black Liberation replied that all demands must be met or violent action would be taken; and

Whereas, On March 17, 1969, the Afro-Americans for Black Liberation deliberately contrived a disturbance in the Student Center on the campus at the University of Houston, causing several thousand dollars worth of damage; and

Whereas, On this occasion this same group marched on the office of the Campus Security Police; and

Whereas, On May 9, 1967, a University of Houston official, Dean William A. Yardley, and the then student body president visited the Chief of Police of the City of Houston to complain about the presence of plainclothes policemen on the campus observing a certain student rally; and

Whereas, On this same date the above-named officials informed the Chief of Police that Houston policemen were unwelcome on the campus of the University of Houston unless personally called by either Dean Yardley or the student body president; and

Whereas, Recently the President of the University of Houston met with the Mayor and Chief of Police of the City of Houston to inform these latter officials that under no circumstances were any Houston police officers to come on the campus of the University of Houston unless a request to the Chief of Police or the Mayor came from the President of the University of Houston and no one else; and

Whereas, Among the part-time economics faculty members at the University of Houston is one Gerry Charlotte Phelps, also on the faculty at South Texas Junior College; and

Whereas, Mrs. Phelps, in her classes at both institutions, regularly sings the praises of the Castro revolution in Cuba, her advocacy of the Castro revolution becoming so offensive that many students com-

plained to the respective administrations of both institutions; and

Whereas, Mrs. Phelps' association with and sponsorship of Afro-American militant groups is well documented by records in the Houston Police Department; and

Whereas, During the summer of 1968, Mrs. Phelps allegedly made an extended visit to Cuba with a Students for a Democratic Society group; and

Whereas, Mrs. Phelps was among the group of Afro-Americans for Black Liberation presenting demands to the administration of the University of Houston; and

Whereas, The Houston Police Department has regularly attempted to inform the administration of the University of the dangerous activities of this group; and

Whereas, The administration of the University of Houston has been not only uncooperative with, but also hostile toward, the intelligence activities of the Police Department of the City of Houston; and

Whereas, Mrs. Phelps was apprehended in an armed robbery in Houston on Saturday, March 22, 1969, evidence indicating the money was for the purchase of firearms; and

Whereas, The University of Houston is a state-supported institution, its students enrolled from many counties in Texas, events on this campus and administrative policy are of statewide significance and concern; now, therefore, be it

Resolved by the Senate of the State of Texas, the House concurring, That the Chairman of the Senate Finance Committee and the Chairman of the House Appropriations Committee each is hereby instructed to appoint a five-man joint subcommittee immediately to conduct an investigation determining the extent of laxity on the part of the administration of the University of Houston in dealing with militant student groups, determining the extent of acquiescence to their demands, determining the extent the administration of the University of Houston needs strengthening, determining the extent of breakdown of campus discipline, and report findings and recommendations to the Legislature within thirty (30) days.

The resolution was read and was

referred to the Committee on Finance.

#### Senate Resolution 371

Senator Hightower offered the following resolution:

Whereas, The Halls of this Senate contain a pictorial history of the legislative service of our distinguished dean, A. M. Aikin, Jr., from his first service in this body in the 45th Legislature, 1937, to the present time; and

Whereas, When our beloved dean and his lovely wife, Welma, introduced their young son, A. M. Aikin, III, to the Senate he was elected a Mascot of the 50th Legislature, in 1947; and

Whereas, A. M. Aikin, III, has now joined his distinguished father as a servant of the people of Texas, it is quite proper that the newest member of the clan join his grandfather and father in the pictorial history of the Senate and history of service of this family to the State of Texas; now therefore, be it

Resolved, That Allan Mathew Aikin be named a Mascot of the Senate of the State of Texas; and, be it further

Resolved, That his photograph appear on the picture panel of the Senate of the 61st Legislature and that copies of this Resolution be sent to him as a token of the good wishes of this body.

#### HIGHTOWER

Signed—Lieutenant Governor Ben Barnes; Aikin, Bates, Bernal, Berry, Blanchard, Bridges, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Harrington, Harris, Hazlewood, Herring, Jordan, Kennard, Mauzy, McKool, Moore, Patman, Ratliff, Schwartz, Snelson, Strong, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Strong, and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Hightower the resolution was then adopted.

By unanimous consent, Senator Hightower introduced young Allan

Mathew Aikin to the Members of the Senate.

#### Senate Resolution 372

Senator Bridges offered the following resolution:

Whereas, The countries of Mexico and the United States have many alliances and treaties to promote understanding between the peoples of these two great nations; and

Whereas, One of the most vital components of these alliances is the "people to people" programs where educational and social interchanges help to promote human understanding and friendship between the citizens of these neighboring countries; and

Whereas, One such notable project has been established between The University of Texas Law School and the University of Guanajuato Law School in order to further international legal cooperation; and

Whereas, A delegation of outstanding law students from the University of Guanajuato is visiting the University of Texas Law School and the Texas Capitol today, March 25, 1969, as a part of this exchange program; and

Whereas, The Legislature of the State of Texas wishes to welcome these students to our city and the capitol, and it is hoped that their visit will be a most informative and rewarding one; now, therefore, be it

Resolved by the Senate of the 61st Legislature, That the Texas Legislature salute these future leaders from the University of Guanajuato for their interest in the development and preservation of international law; and, be it further

Resolved, That an official copy of this Resolution be prepared and presented to the library of the University of Guanajuato Law School as an expression of good wishes and appreciation from the Legislature of the State of Texas.

The resolution was read and was adopted.

Senator Bridges, by unanimous consent, presented the distinguished guests to the Members of the Senate.

#### Senate Bill 21 on Second Reading

The President laid before the Senate as Special Order set for this time S. B. No. 21 on its second reading.

Question, Shall the amendment by Senator Blanchard to S. B. No. 21 be adopted?

On motion of Senator Blanchard, and by unanimous consent, the amendment was withdrawn.

Senator Blanchard offered the following amendment to the bill:

Amend Senate Bill No. 21 by striking all below the enacting clause and substituting the following:

Section 1. Creation of Commission; Membership: The John F. Kennedy Memorial Commission is established. The commission consists of nine members appointed by the governor with the advice and consent of the Senate.

Sec. 2. Terms of Office. The term of office of commissioner begins on February 1 of odd-numbered years and continues for a period of six years and until a successor is appointed and has qualified. Of the members first appointed, the terms of three members expire on January 31, 1971; the terms of three members expire on January 31, 1973; and the terms of three members expire on January 31, 1975.

Sec. 3. Duties of the Commission. (a) The commission shall administer the John F. Kennedy Memorial.

(b) The commission shall acquire documents, photographs, and other property of historical significance which in the discretion of the commission is deemed necessary or suitable for memorializing the life and death of John F. Kennedy.

(c) The commission shall elect from its membership a chairman and other necessary officers. The governor shall name the first chairman who shall serve until a successor is elected. However, if, in the exercise of its power of eminent domain, or any other power, it requires the relocation, raising, lowering, rerouting, or change in grade or alteration in the construction of any highway, railroad, electric transmission, telegraph or telephone lines, conduits, poles, properties or facilities or pipelines, all such relocation, raising, lowering, rerouting, or changes in grade or alteration of construction shall be accomplished at the sole expense of the John F. Kennedy Memorial Commission of the State of Texas. The term

"sole expense" shall mean the actual cost of such lowering, rerouting or change in grade or alteration of construction in providing comparable replacement without enhancement of such facilities, after deducting therefrom the net salvage value derived from the old facility.

(d) The commission shall hold meetings from time to time and at a place designated by the commission. The governor shall call the first meeting.

Sec. 4. Powers of the Commission. (a) The commission may acquire the title or use of any real property which the commission deems necessary or proper for carrying out the duties prescribed by this Act. However, the property may be acquired only by gift, donation, or contribution, or by purchase with money donated to the commission.

(b) The commission may employ and discharge a director and other personnel as it deems necessary or proper for carrying out the duties prescribed by this Act.

Sec. 5. Audit of Funds. All funds are subject to audit by the state auditor.

Sec. 6. Expenses of Members. The members of the commission receive their actual traveling and other necessary expenses in the performance of their duties, not to exceed the amount authorized to be paid a member of the legislature.

Sec. 7. Annual Report. On or before the first day of December of each year the commission shall make in writing a complete and detailed report of its activities to the governor and to the presiding officer of each house of the legislature.

Sec. 8. Expiration Date. This Act expires and the commission established by it is abolished six years after the effective date of this Act.

Sec. 9. Emergency. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read and was adopted.



On motion of Senator McKool, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Record of Vote

Senator Strong asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

(Senator Creighton in the Chair.)

#### Senate Bill 21 on Third Reading

Senator McKool moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 21 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—25

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Hall	Wilson
Harrington	Word
Herring	

#### Nays—4

Blanchard	Harris
Grover	Strong

#### Absent

Hazlewood	Watson
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—25

Aikin	Connally
Bates	Creighton
Bernal	Hall
Berry	Harrington
Bridges	Herring
Brooks	Hightower
Christie	Jordan
Cole	Kennard

Mauzy	Schwartz
McKool	Snelson
Moore	Wilson
Patman	Word
Ratliff	

#### Nays—4

Blanchard	Harris
Grover	Strong

#### Absent

Hazlewood	Watson
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#### Senate Resolution 317 on Second Reading

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

S. R. No. 317—Providing for the creation of a Committee to review the problems of vocational-technical education.

The resolution was read and was adopted.

#### Senate Bill 295 on Second Reading

On motion of Senator Jordan and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 295, A bill to be entitled "An Act relating to and providing for the Juvenile Court of Harris County No. 2 and the Juvenile Court of Harris County No. 3; and declaring an emergency."

The bill was read second time.

Senator Jordan offered the following Committee Amendment to the bill:

Amend Section 12 of Senate Bill No. 295 to read as follows:

"Sec. 12. The terms of the court begin on September 1st of each year and continue until August 31st of the next year. The first term of the Juvenile Court No. 3 begins January 1, 1971, and continues until August 31, 1971."

The Committee Amendment was read and was adopted.

Senator Jordan offered the following Committee Amendment to the bill:

Amend Senate Bill No. 295, by striking Sections 20, 21, 22, 23, and 24, and renumbering Section 25 as Section 20.

The Committee Amendment was read and was adopted.

On motion of Senator Jordan, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Senate Bill 295 on Third Reading

Senator Jordan moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 295 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 314 on Second Reading

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 314, A bill to be entitled "An Act creating an adult education program; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 314 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 314 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

#### Senate Bill 280 on Second Reading

On motion of Senator Harrington and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 280, A bill to be entitled "An Act relating to providing faculty development leaves to faculty members of public junior colleges; amending Subsection (a), Section 2, Chapter 380, Acts of the 60th Legislature, Regular Session, 1967 (Article 2647c-2, Vernon's Texas Civil Statutes); providing for severability; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 280 on Third Reading

Senator Harrington moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 280 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 279 on Second Reading

On motion of Senator Harrington and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 279, A bill to be entitled "An Act authorizing a faculty member participating in an Optional Retirement Program and the Governing Board of the institution of higher education with which he is employed to enter into a salary reduction agree-

ment instead of having the participating member's salary deducted; amending Section 8, Chapter 729, Acts of the 60th Legislature, Regular Session, 1967, etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 279 on Third Reading

Senator Harrington moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 279 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 10 on Second Reading

On motion of Senator Hightower and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 10, A bill to be entitled "An Act authorizing the Commission on Law Enforcement Officer Standards and Education to certify certain persons as trained and qualified law enforcement officers; amending Section 6, Chapter 546, Acts of the 59th Legislature, Regular Session, 1965 (Article 4413(29aa), Vernon's Texas Civil Statutes); and declaring an emergency."

The bill was read second time.

Senator Hightower offered the following Committee Amendment to the bill:

Amend S. B. No. 10 by deleting all language beneath the enacting clause and substituting in lieu thereof the following:

"Section 1. Section 2, Chapter 546, Acts of the 59th Legislature, Regular Session, 1965 (Codified as Article 4413 (29aa), V.C.S.) is amended to read as follows:

"Sec. 2. The Commission shall have the authority and power to:

"(a) Promulgate rules and regulations for the administration of this Act including the authority to require the submission of reports and information by any State, county, or municipal agency within this State which employs peace officers.

"(b) Establish minimum educational, training, physical, mental and moral standards for admission to employment as a peace officer: (1) in permanent positions, and (2) in temporary or probationary status.

"(c) Certify persons as being qualified under the provisions of this Act to be peace officers.

"(d) Certify persons as having qualified as law enforcement officer instructors under such conditions as the Commission may prescribe.

"(e) Establish minimum curriculum requirements for preparatory, in-service and advanced courses and programs for schools or academies operated by or for the State or any political subdivisions thereof for the specific purpose of training peace officers or recruits for the position of a peace officer.

"(f) Consult and cooperate with counties, municipalities, agencies of this State, other governmental agencies, and with universities, colleges, junior colleges, and other institutions concerning the development of peace officer training schools and programs of courses of instruction.

"(g) Approve, or revoke the approval of, institutions and facilities for schools operated by or for the State or any political subdivision thereof for the specific purpose of training peace officers or recruits for the position of peace officers, and issue certificates of approval to such institutions and revoke such certificates of approval.

"(h) Operate schools and facili-

ties thereof and conduct courses therein, both preparatory, in-service, basic and advanced courses, for peace officers and recruits for the position of peace officers as the Commission may determine.

"(i) Contract with other agencies, public or private, or persons, as the Commission deems necessary for the rendition and affording of such services, facilities, studies and reports as it may require to cooperate with municipal, county, State and federal law enforcement agencies in training programs, and to otherwise perform its functions.

"(j) Make or encourage studies of any aspect of law enforcement, including police administration.

"(k) Conduct and stimulate research by public and private agencies which shall be designed to improve law enforcement and police administration.

"(l) Employ an Executive Director and such other personnel as may be necessary in the performance of its functions.

"(m) Visit and inspect all institutions and facilities conducting courses for the training of peace officers and recruits for the position of peace officer and make evaluations as may be necessary to determine if they are complying with the provisions of this Act and the Commission's rules and regulations.

"(n) Adopt and amend rules and regulations, consistent with law, for its internal management and control.

"(o) Accept any donations, contributions, grants or gifts from private individuals or foundations or the federal government.

"(p) Report annually to the Governor and to the Legislature at each regular session on its activities, with its recommendations relating to any matter within its purview, and make such other reports as it deems desirable.

"(q) Meet at such times and places in the State of Texas as it deems proper; meetings shall be called by the Chairman upon his own motion, or upon the written request of five members."

"Sec. 2. Section 3, Chapter 546, Acts of the 59th Legislature, Regular Session, 1965 (codified as Article 4413 (29aa), V.C.S.), is amended to read as follows:

"Sec. 3. The Commission shall be composed of nine members, residents of the State of Texas, and appointed

by the Governor with the advice and consent of the Senate. Such members shall be persons well qualified by experience or education in the field of law enforcement. The Commissioner of Higher Education of the Coordinating Board, Texas College and University System, Commissioner of the Texas Education Agency, the Director of the Texas Department of Public Safety and the Attorney General shall serve as ex officio members of the Commission. In the event a public officer shall be appointed, service by such officer or officers shall be an additional duty of the office. Such appointive members shall be appointed for a term of six years, provided, however, that of the members first appointed, three shall be appointed for a term of two years, three for a term of four years, and three for a term of six years. Any member chosen by the Governor to fill a vacancy created otherwise than by expiration of term shall be appointed for the unexpired term of the member he is chosen to succeed. Such appointment for unexpired term shall be with the advice and consent of the Senate.

"Sec. 3. Amend Section 6, Chapter 546, Acts of the 59th Legislature, Regular Session, 1965 (codified as Article 4413 (29aa), V.C.S.), to read as follows:

"(a) Peace officers already serving under permanent appointment prior to September 1, 1970, shall not be required to meet any requirement of sub-sections (b) and (c) of this section as a condition of tenure or continued employment, nor shall failure of any such officer to fulfill such requirements make him ineligible for any promotional examination for which he is otherwise eligible. The Legislature finds, and it is hereby declared to be the policy of this Act, that such peace officers have satisfied such requirements by their experience.

"(b) No person after September 1, 1970, shall be appointed as a peace officer, except on a temporary or probationary basis, unless such person has satisfactorily completed a preparatory program of training in law enforcement at a school approved or operated by the Commission. Any peace officer who has received a temporary or probationary appointment as such on September 1, 1970, or thereafter, and who fails to satisfactorily complete a basic course in law enforcement, as prescribed by the

Commission, within a one-year period from the date of his original appointment, shall forfeit his position as a peace officer and shall be removed therefrom; and may not have his temporary or probationary employment extended beyond one year by renewal of appointment or otherwise; except that after the lapse of one year from the date of his forfeiture and removal, a local law enforcement agency may petition the Commission for reinstatement of temporary or probationary employment of such individual, such reinstatement resting within the sole discretion of the Commission.

"(c) In addition to the requirements of subsection (b) of this section, the Commission, by rules and regulations, may establish other qualifications for the employment of peace officers, including minimum age, education, physical and mental standards, citizenship, good moral character, experience, and such other matters as relate to the competence and reliability of persons to assume and discharge the responsibilities of peace officers, and the Commission shall prescribe the means of presenting evidence of fulfillment of these requirements. No person shall be appointed as a peace officer unless he fulfills such requirements.

"(d) The Commission shall issue a certificate evidencing satisfaction of the requirements of subsections (b) and (c) of this section to any applicant who presents such evidence as may be required by its rules and regulations of satisfactory completion of a program or course of instruction in another jurisdiction equivalent in content and quality to that required by the Commission for approved law enforcement education and training programs in this State.

"(e) Any person who accepts appointment as a peace officer, or any person who appoints or retains an individual as a peace officer, in violation of sub-sections (b) or (c) of this section shall be guilty of a misdemeanor and upon conviction shall be fined not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00).

"(f) Nothing herein shall be construed to preclude an employing agency from establishing qualifications and standards for hiring or training peace officers which exceed the minimum standards set by the Commission nor shall anything herein be construed to affect any sheriff, constable or other

law enforcement officer elected under the provisions of the Constitution of the State of Texas.

"(g) Any peace officer already serving under permanent appointment prior to September 1, 1970, and any sheriff, constable, or other law enforcement officer elected to office under the provisions of the Constitution of the State of Texas, shall be eligible to attend peace officer training courses subject to the rules and regulations established by the Commission."

"Sec. 4. Amend Section 7, Chapter 546, Acts of the 59th Legislature, Regular Session, 1965 (codified as Article 4413 (29aa), V.C.S.), to read as follows:

"(a) The Commission shall establish and maintain peace officer training programs to be conducted by its own staff or through such agencies and institutions as the Commission may deem appropriate.

"(b) The Commission may authorize reimbursement for each political subdivision and each State agency for expenses in attending such training programs as authorized by the Legislature."

Sec. 5. Add Sec. 9A to Chapter 546, Acts of the 59th Legislature, Regular Session, 1965 (codified as Article 4413 (29aa), V.C.S.), to read as follows:

"9A. Any person dissatisfied with the action of the Commission may appeal the action of the Commission by filing a petition within thirty (30) days thereafter in the district court in the county where the person resides or in the district court of Travis County, Texas, and the court is vested with jurisdiction, and it shall be the duty of the court, to set the matter for hearing upon ten (10) days written notice to the Commission and the attorney representing the Commission. The court in which the petition of appeal is filed shall determine whether any action of the Commission shall be suspended pending hearing, and enter its order accordingly, which shall be operative when served upon the Commission, and the Commission shall provide the attorney representing the Commission with a copy of the petition and order. The Commission shall be represented in such appeals by the district or county attorney of the county, or the Attorney General, or any of their assistants."

"Sec. 6. If any provisions of this Act, or the application thereof, to any person or circumstances is held invalid, such invalidity shall not affect

other provisions or applications of the law which can be given effect without the invalid provisions or applications and to this end the provisions of this law are declared severable.

"Sec. 7. The fact that the percentage of increase in crime in recent years has far exceeded the State's increase in population and the need for a State-wide Commissioner to study ways and means of law enforcement officer training create an emergency and an imperative public necessity that the Constitutional Rule that bills be read on three several days in each House be suspended, and said Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted."

The Committee Amendment was read and was adopted.

Senator Hightower offered the following Committee Amendment to the bill:

Amend S. B. 10 by deleting all language above the enacting clause and substituting in lieu thereof the following:

#### "A BILL TO BE ENTITLED

An Act amending Chapter 546, Acts of the 59th Legislature, Regular Session, 1965 (codified as Article 4413 (29aa), V.C.S.), by redefining powers of Commission on Law Enforcement Officers Standards and Education to include authority to certify persons qualified to be peace officers and law enforcement instructors, and institution and facilities for peace officer training; establishing minimum standards for courses and programs for peace officer training; revoke approval of certified institutions; operate facilities for peace officer training, etc.; adding to Commission the Commissioner of Higher Education of the Coordinating Board, Texas College and University System; requiring peace officers to be certified after September 1, 1970; adding grandfather clause; setting penalty for acting as or appointing peace officer in violation of this Act; providing appeal from Commission action; providing for severability and declaring an emergency."

The Committee Amendment was read and was adopted.

The bill as amended was passed to engrossment.

#### Senate Bill 10 on Third Reading

Senator Hightower moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 10 be placed on its third reading and final passage.

The motion prevailed by the following vote:

##### Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 449 on Second Reading

On motion of Senator Snelson, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 449, A bill to be entitled "An Act authorizing additional regents for public and junior college districts presently operating under the provisions of Article 28150-1b, (Acts of the 58th Legislature, Page 41, Chapter 1, Acts 1963), which have been or may be enlarged by the addition of one or more school districts from adjacent counties, fixing terms of regents, providing for election and appointment of regents, authorizing appointment to fill vacancies, providing said act shall be cumulative of the existing laws, providing partial invalidity shall not affect remainder of Act; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 449 on Third Reading

Senator Snelson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 449 be placed on its third reading and final passage.

The motion prevailed by the following vote:

##### Yeas—30

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Kennard
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

##### Nays—1

Mauzy

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

##### Yeas—30

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Kennard
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

##### Nays—1

Mauzy

#### Committee Substitute Senate Bill 7 on Second Reading

On motion of Senator Cole and by

unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 7, A bill to be entitled "An Act relating to the maintenance and use of exhaust emission systems on certain motor vehicles and motor vehicle engines and to the maintenance and use of exhaust systems on motor vehicles; prohibiting crankcase emissions from certain motor vehicles and motor vehicle engines; relating to the equipment required on motor vehicles and other vehicles registered in this state and the procedures for inspecting vehicles and issuing inspection certificates, setting the fee for making an inspection, prohibiting the display of a fictitious inspection certificate, and prohibiting the driving or moving of any vehicle unless the required equipment is in good working order and adjustment and the vehicle is in safe mechanical condition; adding Section 2A to, amending Section 134 by adding Subsections (c) and (d), amending Subsections (a) and (b) of Section 140, Subsections (a), (b), (d), and (e) of Section 141, and Subsection (a) and (b) of Section 142 of Chapter 421, Acts of the 50th Legislature, 1947, as amended (Article 6701d, Vernon's Texas Civil Statutes); and declaring an emergency."

The bill was read second time.

Senator Cole offered the following amendment to the bill:

Amend Committee Substitute Senate Bill No. 7 by inserting a new section in the bill after Section 5 and before Section 6, which shall be Section 5A and shall read as follows:

Sec. 5A. Senate Bill No. 5, Acts of the 61st Legislature, Regular Session, 1969 (Article 698d, Penal Code of Texas, 1925), pertaining to the offense of air pollution, shall not apply to any act or omission covered by this Act, and any act or omission which constitutes a criminal offense under this Act shall not constitute or be punishable as a criminal offense under said Senate Bill No. 5.

The amendment was read and was adopted.

On motion of Senator Cole, and by unanimous consent the caption was

amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Committee Substitute Senate Bill 7 on Third Reading

Senator Cole moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 7 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 397 on Second Reading

On motion of Senator Bridges and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 397, A bill to be entitled "An Act relating to the inclusion of certain firemen in the Firemen's Relief and Retirement Fund; amending Subdivision (a) of Section 3B, 7E, 10A-2, and Sections 7F and 13A, Chapter 125, Acts of the 45th Legislature, Regular Session, 1937 (Article 6243e, Vernon's Texas Civil Statutes), as added by Chapter 167, Acts of the 60th Legislature, Regular Session, 1967; and declaring an emergency."

The bill was read second time and was passed to engrossment.



**Senate Bill 397 on Third Reading**

Senator Bridges moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 397 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

**Message From the House**

Hall of the House of Representatives  
Austin, Texas,  
March 25, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 600, A bill to be entitled "An Act amending Chapter 5, Acts of the 46th Legislature, 1939, page 613, Section 1, as amended by Chapter 30, Acts of the 58th Legislature, 1963, page 45, Section 1 (codified as Article 6686 (b), as amended, Vernon's Texas Civil Statutes), so as more specifically to include within the scope thereof other vehicles, including house trailers, trailers and semitrailers; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 217, A bill to be entitled "An Act relating to the length of vehicles, motor vehicles, and combinations thereof; amending Subsection (c), Section 3, Chapter 282, Acts of the 42nd Legislature, Regular Session, 1931, as amended (Article 827a, Vernon's Texas Penal Code); repealing laws in conflict to the extent of such conflict; providing severability; and declaring an emergency."

H. B. No. 392, A bill to be entitled "An Act making it unlawful for any person 21 years of age and over to sell, furnish, barter, trade, administer, or give, or to offer to furnish, sell, barter, trade, administer, or give to any person under 21 years of age any narcotic drug, as defined; providing a penalty; repealing Subsection (2) of Section 23, Chapter 169, Acts of the 45th Legislature, Regular Session, as amended, insofar as it is inconsistent; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**Committee Substitute  
Senate Bill 148 on Second Reading**

On motion of Senator McKool and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 148, A bill to be entitled "An Act relating to a requirement that all complaints made against a law enforcement officer of the State of Texas or firemen and policemen be made in writing and signed by the person making the complaint; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Committee Substitute  
Senate Bill 148 on Third Reading**

Senator McKool moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 148 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—31**

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—31**

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

**Report of Standing Committee**

Senator Hall by unanimous consent submitted the following report:

Austin, Texas,  
March 25, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred S. B. No. 710, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman  
WORD  
CONNALLY

**Committee Substitute  
Senate Joint Resolution 10  
on Second Reading**

Senator Christie asked unanimous consent to suspend the regular order of business and take up C. S. S. J. R. No. 10 for consideration at this time.

There was objection.

Senator Christie then moved to suspend the regular order of business and take up C. S. S. J. R. No. 10 for consideration at this time.

The motion prevailed by the following vote:

**Yeas—19**

Bates	Harris
Bernal	Herring
Berry	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Schwartz
Cole	Strong
Grover	Word
Hall	

**Nays—9**

Aikin	Ratliff
Creighton	Snelson
Harrington	Watson
Hightower	Wilson
Moore	

**Absent**

Connally	Kennard
Hazlewood	

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

C. S. S. J. R. No. 10, Proposing an amendment to Subsection (a), Section 20, Article XVI, Constitution of the State of Texas, to authorize the Leg-

islature to enact a Mixed Beverage Law regulating the sale of mixed alcoholic beverages on a local option election basis.

The resolution was read second time.

(President in the Chair.)

Senator Word offered the following amendment to the resolution:

Amend C. S. S. J. R. No. 10, Section 2, line 35 by deleting the following language:

"The constitutional amendment authorizing the Legislature to enact a Mixed Beverage Law regulating the sale of mixed alcoholic beverages on a local option election basis," and substituting in lieu thereof the following:

"Repeal of the prohibition against open saloons found in Section 20, Article XVI of the Constitution of the State of Texas."

The amendment was read and was adopted.

The resolution as amended was passed to engrossment by the following vote:

Yeas—21

Bates	Harris
Bernal	Herring
Berry	Jordan
Blanchard	Kennard
Bridges	Mauzy
Brooks	McKool
Christie	Patman
Cole	Schwartz
Connally	Strong
Grover	Word
Hall	

Nays—9

Aikin	Ratliff
Creighton	Snelson
Harrington	Watson
Hightower	Wilson
Moore	

Absent

Hazlewood

#### Memorial Resolutions

S. R. No. 379—By Senator Watson: Memorial resolution for Mr. and Mrs. Joseph Corsentino.

S. R. No. 380—By Senator Watson:

Memorial resolution for Mrs. Lena McDowell.

S. R. No. 381—By Senator Watson: Memorial resolution for Newton V. Abbott.

S. R. No. 382—By Senator Watson: Memorial resolution for Tom S. Reed.

S. R. No. 383—By Senator Watson: Memorial resolution for August W. Hessel.

#### Welcome and Congratulatory Resolutions

S. R. No. 373—By Senator Aikin: Extending welcome and privileges of the floor to Mrs. Kate Estes.

S. R. No. 374—By Senator Herring: Extending welcome to teachers and students of seventh and eighth grades of Florence Junior High School.

S. R. No. 375—By Senator Watson: Extending welcome to Dr. Duncan Howard.

S. R. No. 376—By Senator Watson: Extending welcome to James Dickson, et al.

S. R. No. 377—By Senator Watson: Extending congratulations to Madison Clement on his recognition by the Grain and Feed Dealers National Association.

S. R. No. 378—By Senator Watson: Extending good wishes and appreciation to L. J. Cappleman on his retirement as State Director of the Farmers Home Administration.

S. R. No. 384—By Senator Hall: Extending welcome to Mr. and Mrs. Ken Lambert.

S. R. No. 385—By Senator Herring: Extending welcome to teacher and students of fifth grade class of Wooten Elementary School of Austin.

S. R. No. 386—By Senator Herring: Extending welcome to teachers and students of third grade class of Highland Park Elementary School of Austin.

S. R. No. 387—By Senator Herring: Extending welcome to teacher and students of third grade class of Highland Park Elementary School of Austin.

**Adjournment**

On motion of Senator Christie the Senate at 11:32 o'clock a.m. adjourned until 11:35 o'clock a.m. today.

**Record of Votes**

Senators Hightower and Moore asked to be recorded as voting "Nay" on the motion to adjourn.

**APPENDIX****Sent to Governor**

March 25, 1969

S. B. No. 110

**FORTIETH DAY**

(Tuesday, March 25, 1969)

The Senate met at 11:35 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

A quorum was announced present.

Senator Jack Hightower offered the invocation.

On motion of Senator Bates, and by unanimous consent, the Morning Call was dispensed with.

**Committee Substitute Senate Joint Resolution 10 on Third Reading**

Senator Christie moved to suspend the regular order of business to take up for consideration C. S. S. J. R. No. 10 on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—21**

Bates	Harris
Bernal	Herring
Berry	Jordan
Blanchard	Kennard
Bridges	Mauzy
Brooks	McKool
Christie	Patman
Cole	Schwartz
Connally	Strong
Grover	Word
Hall	

**Nays—10**

Aikin	Moore
Creighton	Ratliff
Harrington	Snelson
Hazlewood	Watson
Hightower	Wilson

The President then laid the resolution before the Senate on its third reading and final passage:

S. J. R. No. 10, Proposing an amendment to Section 20, Article XVI, Constitution of the State of Texas to provide that the Legislature shall have the power to enact a Mixed Beverage Law regulating the sale of mixed alcoholic beverages on a local option election basis.

The resolution was read third time and was passed by the following vote:

**Yeas—21**

Bates	Harris
Bernal	Herring
Berry	Jordan
Blanchard	Kennard
Bridges	Mauzy
Brooks	McKool
Christie	Patman
Cole	Schwartz
Connally	Strong
Grover	Word
Hall	

**Nays—10**

Aikin	Moore
Creighton	Ratliff
Harrington	Snelson
Hazlewood	Watson
Hightower	Wilson

**Reason for Vote**

During my campaign for the Senate in 1968, I made a commitment to the people of my District that I was opposed to the 60th Legislature passing a liquor-by-the-drink bill because this was in violation of the "open saloon" provision of the Texas Con-